

- (34) The term 'stop-sale' means an administrative order provided by law restraining the sale, use, disposition and movement of a definite amount of seed.
- (35) The term 'treated' means given an application of a substance or subjected to a process designed to reduce, control or repel disease organisms, insects or other pests which attack seeds or seedlings growing therefrom, or to improve the planting value of the seed.
- (36) The term 'variety' means a subdivision of a kind characterized by growth, plant, fruit, seed or other constant characteristics by which it can be differentiated in successive generations from other sorts of the same kind; for example, Knox Wheat, Kobe Striate Lespedeza, Ranger Alfalfa, Kentucky 31 Tall Fescue.
- (37) The term 'vegetable seeds' shall include the seeds of those crops which are grown in gardens or on truck farms and are generally known and sold under the name of vegetable seed in this State.
- (38) The term 'weed seeds' means the seeds, bulblets or tubers of all plants generally recognized as weeds within this State or which may be classified as weed seed by regulations promulgated under this Article.
- (39) The term 'wholesaler' shall mean a dealer engaged in the business of selling seed to retailers or jobbers as well as to consumers.
- (40) ~~'Blend' -- A mechanical combination of varieties identified by a blend designation in which each component variety is equal to or above the minimum standard germination for its class; which is always present in the same percentage in each lot identified by the same "blend" designation; and for which research data supports an advantage of the "blend" over the singular use of either component variety. "Blend" designations shall be treated as variety names.~~
- (41) ~~'Brand' -- An identifying numeral, letter, word, or any combination of these, used with the word "brand" to designate source of seeds."~~

**Section 2.** G.S. 106-277.29 is repealed.

**Section 3.** Article 31 of Chapter 106 of the General Statutes is amended by adding the following new sections:

*" 106-277.30. Filing complaint; investigation; referral to Seed Board.*

(a) Complaint by Buyer. -- When a buyer believes that he or she has suffered damages due to the failure of agricultural or vegetable seed to produce or perform as labeled or as warranted, or as the result of negligence, the buyer may make a sworn complaint against the dealer from whom the seeds were purchased, alleging the damages sustained or to be sustained, and file the complaint with the Commissioner within such time as to permit inspection of the seed, crops, or plants. The buyer shall send a copy of the complaint to the dealer by registered or certified mail. A filing fee of one hundred dollars (\$100.00) shall be paid to the Department with